

1 Timothy E. Warriner (SB#166128)
2 Attorney at Law
3 428 J St., Suite 350
4 Sacramento, CA 95814
(916) 443-7141

5 Attorney for Petitioner,
6 James Kalfsbeek

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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,) No. 2:05-cr-0128 LKK AC
Plaintiff,) AMENDED STIPULATION AND
vs.) [PROPOSED] ORDER CONTINUING
JAMES KALFSBEEK,) EVIDENTIARY HEARING
Defendant)

An evidentiary hearing is presently scheduled for June 16, 2014 concerning Mr. Kalfsbeek's motion pursuant to 28 U.S.C. § 2255. The parties hereby stipulate that the hearing be continued to September 8, 2014 at 9:00 a.m. The continuance is requested because Mr. Kalfsbeek's counsel is presently in a special circumstances murder trial (*People v. Rodolfo Villa*, Sac. County No. 13F00543). Closing arguments are to be held on June 23 and the trial is scheduled to proceed through the last week of June, 2014. Counsel has conferred with Mr. Kalfsbeek's trial counsel, Mr. Scott Tedmon, who will be available to appear in court as a witness on September 8.

DATED: June 11, 2014

/s/ Timothy E. Warriner, Attorney for
Petitioner, James Kalfsbeek

DATED: June 11, 2014

/s/ Christiaan Highsmith, Assistant U.S.
Attorney

ORDER

GOOD CAUSE APPEARING, and based on the stipulation of the parties, it is hereby ordered that the evidentiary hearing shall be continued to September 8, 2014 at 9:00 a.m., and that the previously scheduled hearing be vacated.

DATED: June 12, 2014

Allison Claire
ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE